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APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09.711,782	11.13.2000	Rex M. Bitner	16026-9264	7178
23510	7590 03,27,2002			
MICHAEL BEST & FRIEDRICH, LLP ONE SOUTH PINCKNEY STREET P O BOX 1806			EXAMINER	
			SISSON, BRADLEY L	
MADISON, WI 53701			ART UNIT	PAPER NUMBER
			1634	
			DATE MAILED: 03 27:2002	k k

Please find below and/or attached an Office communication concerning this application or proceeding.

•		Application No.	Applicant(s)		
Office Action Summary		09/711,782	BITNER ET AL.		
		Examiner	Art Unit		
		Bradley L. Sisson	1634		
Period fo	The MAILING DATE of this communica r Reply	tion appears on the cover sheet	with the correspondence address		
THE N - Exter after - If the - If NO - Failui - Any r	ORTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNICATION of time may be available under the provisions of 3 SIX (6) MONTHS from the mailing date of this communiperiod for reply specified above is less than thirty (30) disperiod for reply is specified above, the maximum statute to reply within the set or extended period for reply will eply received by the Office later than three months after identified adjustment. See 37 CFR 1 704(b)	ATION. 37 CFR 1 136(a) In no event, however, may a cation lays a reply within the statutory minimum of the pry period will apply and will expire SIX (6) MC, by statute cause the application to become	a reply be timely filed mirty (30) days will be considered timely DNTHS from the mailing date of this communication ABANDONED (35 U S C § 133)		
1)[Responsive to communication(s) filed	on <u>01 January 1951</u> .			
2a)	This action is FINAL . 2b)⊠ This action is non-final.			
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is losed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.				
Dispositi	on of Claims				
4)[>]	Claim(s) 1-51 is/are pending in the ap	plication			
	4a) Of the above claim(s) is/are	withdrawn from consideration.			
5)	Claim(s) is/are allowed.				
6)	Claim(s) is/are rejected.				
7)	Claim(s) is/are objected to.				
8)[\]	Claim(s) $\underline{1-51}$ are subject to restriction	and/or election requirement.			
Applicati	on Papers				
9) 🗌 🤈	The specification is objected to by the E	Examiner			
10) 🔲 -	The drawing(s) filed on is/are: a)	accepted or b) objected to by	y the Examiner		
	Applicant may not request that any object				
11)	The proposed drawing correction filed o		disapproved by the Examiner.		
	If approved, corrected drawings are requi	•			
	The oath or declaration is objected to b	y the Examiner.			
-	inder 35 U.S.C. §§ 119 and 120				
	Acknowledgment is made of a claim for	or foreign priority under 35 U.S.C	C. § 119(a)-(d) or (f).		
a)	☐ All b)☐ Some * c)☐ None of:				
	1. Certified copies of the priority do		A CONTRACTOR AND		
	2. Certified copies of the priority do				
* (ional Bureau (PCT Rule 17.2(a)			
14) 🗌 <i>F</i>	Acknowledgment is made of a claim for	domestic priority under 35 U.S.(C § 119(e) (to a provisional application)		
)	- ·			
Attachmen	t(s)				
2) Notic	ce of References Cited (PTO-892) ce of Draftsperson's Patent Drawing Review (PTC mation Disclosure Statement(s) (PTO-1449) Pap	D-948) 5) Notice	ew Summary (PTO 413, Paper Nots) of Informal Patent Application (PTO-152)		

Art Unit: 1634

Election/Restrictions

1. Claims 1-48 are generic to a plurality of disclosed patentably distinct species comprising the various molecular species encompassed by each of R₁, R₂, and R₃. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for each of said R₁, R₂, and R₃, even though this requirement is traversed.

- 2. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.
- 3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley L. Sisson whose telephone number is 703-308-3978. The examiner can normally be reached on Monday through Thursday from 6:30 AM to 5 PM.

- 6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones can be reached on 703-308-1152. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9307 for After Final communications.
- 7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1234.

Bradley L. Sisson
Primary Examiner
Art Unit 1634

bls March 22, 2002